

**PROOF**

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**STATE OF IOWA**

# **House Journal**

**THURSDAY, MARCH 30, 2017**

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(The official bound copy will be available after a reasonable time upon adjournment.)

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## JOURNAL OF THE HOUSE

Eighty-first Calendar Day - Fifty-fourth Session Day

Hall of the House of Representatives  
Des Moines, Iowa, Thursday, March 30, 2017

The House met pursuant to adjournment at 8:31 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Pastor Chuck Kelsey, First Congregational United Church of Christ, Mason City. He was the guest of Steckman of Cerro Gordo.

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Sidney Salmon from Pinehurst, North Carolina, granddaughter of Salmon of Black Hawk.

The Journal of Wednesday, March 29, 2017, was approved.

### INTRODUCTION OF BILL

[House File 620](#), by committee on Ways and Means, a bill for an act relating to the assessment of certain subdivided real property and including applicability provisions.

Read first time and placed on the **Ways and Means calendar**.

### SPECIAL PRESENTATION

Kaufmann of Cedar announced the Hoover Uncommon Service Award winner for 2017, Representative Zach Nunn.

The House rose and expressed its appreciation.

### ADOPTION OF [HOUSE CONCURRENT RESOLUTION 6](#)

Hagenow of Polk asked and received unanimous consent for the immediate consideration of [House Concurrent Resolution 6](#), a concurrent resolution relating to Pioneer Lawmakers, and moved its adoption.

The motion prevailed and the resolution was adopted.

## IMMEDIATE MESSAGE

Hagenow of Polk asked and received unanimous consent that [House Concurrent Resolution 6](#) be immediately messaged to the Senate.

The House stood at ease at 8:45 a.m., until the fall of the gavel.

The House resumed session at 9:37 a.m., Speaker Upmeyer in the chair.

## CONSIDERATION OF BILLS

## Ways and Means Calendar

[House File 609](#), a bill for an act providing for the imposition of the local hotel and motel tax by a land use district, was taken up for consideration.

Wolfe of Clinton offered amendment [H-1249](#) filed by her and Mommsen of Clinton.

Pettengill of Benton rose on a point of order that amendment [H-1249](#) was not germane.

The Speaker ruled the point well taken and amendment [H-1249](#) not germane.

Pettengill of Benton moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 609](#))

The ayes were, 82:

Bacon	Baltimore	Baudler	Baxter
Bennett	Bergan	Best	Bloomingtondale
Brown-Powers	Carlin	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jones	Kaufmann	Kerr	Klein
Kressig	Kurth	Landon	Lensing

Lundgren	Mascher	Maxwell	McConkey
McKean	Meyer	Mohr	Mommsen
Moore	Nielsen	Nunn	Olson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, R.
Steckman	Taylor, R.	Thede	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Windschitl	Wolfe	Worthan
Zumbach	Speaker Upmeyer		

The nays were, 15:

Abdul-Samad	Anderson	Bearinger	Breckenridge
Gaines	Hanson	Hunter	Isenhart
Jacoby	Kacena	Kearns	Miller
Oldson	Smith, M.	Taylor, T.	

Absent or not voting, 3:

Forristall	Koester	Staed
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### Regular Calendar

[Senate File 332](#), a bill for an act making changes to the controlled substance schedules, and providing penalties, and including effective date provisions, with report of committee recommending passage, was taken up for consideration.

Abdul-Samad of Polk asked and received unanimous consent to withdraw amendment [H-1250](#) filed by him and Isenhart of Dubuque on March 29, 2017.

Gustafson of Madison moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([S.F. 332](#))

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett

Bergan	Best	Bloomington	Breckenridge
Brown-Powers	Carlin	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanson
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Hinson	Holt
Holz	Hunter	Huseman	Isenhardt
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	Maxwell	McConkey
McKean	Meyer	Miller	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Steckman
Taylor, R.	Taylor, T.	Thede	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Windschitl	Wolfe	Worthan
Zumbach	Speaker		
	Upmeyer		

The nays were, none.

Absent or not voting, 2:

Forristall            Staed

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

[Senate File 351](#), a bill for an act providing for the elimination of the Iowa emergency response commission, with report of committee recommending passage, was taken up for consideration.

Bergan of Winneshiek moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([S.F. 351](#))

The ayes were, 97:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Beainger	Bennett
Bergan	Best	Bloomington	Breckenridge

Brown-Powers	Carlson	Cohoon	Cownie
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanson	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhart	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller	Mohr	Mommsen
Moore	Nielsen	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Running-Marquardt
Salmon	Sexton	Sheets	Sieck
Smith, M.	Smith, R.	Steckman	Taylor, R.
Taylor, T.	Thede	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Winckler
Windschitl	Wolfe	Worthan	Zumbach
Speaker			
Upmeyer			

The nays were, none.

Absent or not voting, 3:

Carlin	Forristall	Staed
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

[Senate File 410](#), a bill for an act relating to a declaration concerning the final disposition of a person's remains and including applicability provisions, with report of committee recommending passage, was taken up for consideration.

Bacon of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([S.F. 410](#))

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett

Bergan	Best	Bloomington	Breckenridge
Brown-Powers	Carlin	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanson
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Hinson	Holt
Holz	Hunter	Huseman	Isenhardt
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	Maxwell	McConkey
McKean	Meyer	Miller	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Steckman
Taylor, R.	Taylor, T.	Thede	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Windschitl	Wolfe	Worthan
Zumbach	Speaker		
	Upmeyer		

The nays were, none.

Absent or not voting, 2:

Forristall                Staed

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

#### LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Forristall of Pottawattamie                Staed of Linn

#### SENATE MESSAGE CONSIDERED

[Senate File 408](#), by committee on Commerce, a bill for an act requiring licensure rather than registration of architects practicing in this state.

Read first time and **passed on file.**

[HOUSE FILE 186](#) WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw [House File 186](#) from further consideration by the House.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: [House File 609](#), **Senate Files 332, 351 and 410.**

The House stood at ease at 10:13 a.m., until the fall of the gavel.

The House resumed session at 10:21 a.m., Speaker Upmeyer in the chair.

The House stood at ease at 10:21 a.m., until the fall of the gavel.

The House resumed session at 11:44 a.m., Windschitl of Harrison in the chair.

BILLS PLACED ON THE  
UNFINISHED BUSINESS CALENDAR

Hagenow of Polk asked for unanimous consent that the following bills be placed on the unfinished business calendar.

[House File 20](#)  
[House File 290](#)  
[House File 373](#)  
[House File 394](#)  
[House File 484](#)  
[House File 513](#)  
[House File 570](#)  
[House File 582](#)  
[House File 585](#)  
[House File 596](#)  
[House File 608](#)  
[House File 614](#)  
[House File 616](#)  
[House File 619](#)

[House File 251](#)  
[House File 310](#)  
[House File 375](#)  
[House File 477](#)  
[House File 487](#)  
[House File 520](#)  
[House File 578](#)  
[House File 583](#)  
[House File 590](#)  
[House File 604](#)  
[House File 613](#)  
[House File 615](#)  
[House File 617](#)  
[House File 620](#)

M. Smith of Marshall moved to amend the motion to exclude [House File 484](#) from moving to the unfinished business calendar.



Roll call was requested by M. Smith of Marshall and Abdul-Samad of Polk.

On the question "Shall the motion be amended?"

The ayes were, 40:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Hanson	Heddens	Hunter	Isenhardt
Jacoby	Kacena	Kearns	Kressig
Kurth	Lensing	Mascher	McConkey
Meyer	Miller	Nielsen	Oldson
Olson	Ourth	Prichard	Running-Marquardt
Smith, M.	Smith, R.	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

The nays were, 57:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomington	Carlin
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Heartsill
Heaton	Hein	Highfill	Hinson
Holt	Holz	Huseman	Jones
Kaufmann	Kerr	Klein	Koester
Landon	Lundgren	Maxwell	McKean
Mohr	Mommsen	Moore	Nunn
Paustian	Pettengill	Rizer	Rogers
Salmon	Sexton	Sheets	Sieck
Taylor, R.	Upmeyer, Spkr.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

Absent or not voting, 3:

Forristall	Hanusa	Staed
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The motion lost.

Hagenow of Polk moved that the bills be placed on the unfinished business calendar.

The motion prevailed.

On motion by Hagenow of Polk, the House was recessed at 10:48 a.m., until 2:00 p.m.

#### AFTERNOON SESSION

The House reconvened at 2:07 p.m., Hinson of Linn in the chair.

#### MESSAGE FROM THE SENATE

The following message was received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on March 30, 2017, passed the following bill in which the concurrence of the Senate was asked:

[House File 586](#), a bill for an act relating to financial matters, including mechanic's liens, and the Iowa finance authority by establishing a rent subsidy program, modifying shelter assistance fund grant award requirements, and revising filing requirements for certain bonds and notes issued by the authority.

W. CHARLES SMITHSON, Secretary

#### INTRODUCTION OF BILLS

[House File 621](#), by committee on Ways and Means, a bill for an act relating to programs and projects administered by the economic development authority.

Read first time and placed on the **Ways and Means calendar**.

[House File 622](#), by committee on Ways and Means, a bill for an act providing for the establishment of first-time homebuyer savings accounts in Iowa, including related individual income tax exemptions, and including applicability provisions.

Read first time and referred to committee on **Appropriations**.

#### EXPLANATION OF VOTE

On March 28, 2017, I was necessarily absent during voting in the House chamber. Had I been present, I would have voted as follows:

[House File 410](#) – “aye”

[House File 603](#) – “aye”

[House File 607](#) – “aye”

Prichard of Floyd

#### COMMITTEE RECOMMENDATIONS

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

CARMINE BOAL  
Chief Clerk of the House

#### COMMITTEE ON COMMERCE

[Senate File 51](#), a bill for an act relating to a cytomegalovirus public health initiative and the testing of newborns for congenital cytomegalovirus.

Fiscal Note: **No**

Recommendation: **Do Pass** March 29, 2017.

[Senate File 431](#), a bill for an act relating to the siting of small wireless facilities.

Fiscal Note: **No**

Recommendation: **Do Pass** March 29, 2017.

#### COMMITTEE ON HUMAN RESOURCES

[Senate File 471](#), a bill for an act relating to feticide, making penalties applicable, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment [H-1251](#)** March 29, 2017.

[Senate File 484](#), a bill for an act relating to pharmacy regulation, including alternate board of pharmacy members, drug disposal program funding, an impaired professionals program, and pharmacy internet sites.

Fiscal Note: **No**

Recommendation: **Do Pass** March 29, 2017.

## COMMITTEE ON JUDICIARY

[Senate File 275](#), a bill for an act relating to termination of parental rights proceedings based upon safety or security concerns.

Fiscal Note: **No**

Recommendation: **Do Pass** March 30, 2017.

[Senate File 333](#), a bill for an act relating to a fiduciary's access to digital assets and including applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** March 30, 2017.

[Senate File 415](#), a bill for an act providing immunity from certain criminal offenses and prohibiting certain disciplinary sanctions for persons who report, seek, or require emergency assistance for alcohol overdoses or protection from certain crimes, and modifying penalties.

Fiscal Note: **No**

Recommendation: **Do Pass** March 30, 2017.

[Senate File 434](#), a bill for an act relating to the sealing of certain criminal offenders' juvenile delinquency records.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass with amendment [H-1252](#)** March 30, 2017.

[Senate File 446](#), a bill for an act relating to asset forfeiture by prohibiting civil asset forfeiture for property valued at less than a minimum amount, raising the standard of proof for asset forfeiture, requiring a proportionality review for property to be forfeited, and requiring law enforcement agencies to retain certain records related to asset forfeiture and including applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** March 30, 2017.

[Senate File 467](#), a bill for an act relating to restrictions on the receipt by certain felons of certain insurance proceeds and other benefits.

Fiscal Note: **No**

Recommendation: **Do Pass** March 30, 2017.

## COMMITTEE ON LOCAL GOVERNMENT

[Senate File 439](#), a bill for an act relating to the disposal or return of certain notices and certificates filed or recorded during certain periods of time.

Fiscal Note: **No**

Recommendation: **Do Pass** March 29, 2017.

[Senate File 451](#), a bill for an act relating to certain payments made through a county treasurer's internet site

Fiscal Note: **No**

Recommendation: **Do Pass** March 29, 2017.

## COMMITTEE ON STATE GOVERNMENT

[House File 522](#), a bill for an act requiring licensure rather than registration of architects practicing in this state.

Fiscal Note: **No**

Recommendation: **Do Pass** March 29, 2017.

[Senate File 237](#), a bill for an act relating to the practice of public accountants.

Fiscal Note: **No**

Recommendation: **Do Pass** March 29, 2017.

[Senate File 399](#), a bill for an act relating to the conduct of elections, including general election ballot vacancies, voter registration, elections administration, absentee voting, and vacancies on school boards and merged area governing boards and including effective date and applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** March 29, 2017.

[Senate File 411](#), a bill for an act relating to contractor registration and licensing by the department of public health and the department of workforce development and related fees and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** March 29, 2017.

## COMMITTEE ON WAYS AND MEANS

[Senate File 444](#), a bill for an act relating to public safety on highways, including the use of electronic communication devices while driving where such use results in death

and the establishment of a statewide sobriety and drug monitoring program, and providing penalties.

Fiscal Note: **No**

Recommendation: **Do Pass** March 29, 2017.

[Senate File 489](#), a bill for an act relating to the possession, sale, transfer, purchase, and use of fireworks, providing penalties, and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** March 29, 2017.

#### AMENDMENTS FILED

<a href="#">H-1251</a>	<a href="#">S.F. 471</a>	Committee on Human Resources
<a href="#">H-1252</a>	<a href="#">S.F. 434</a>	Committee on Judiciary

On motion by Hagenow of Polk, the House adjourned at 2:08 p.m., until 10:30 a.m., Friday, March 31, 2017.